

EXHIBIT A

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION**

ED BUTOWSKY,
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Plaintiff,
v.
DAVID FOLKENFLIK, ET AL.,
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CIVIL ACTION NO.
4:18-CV-00442-ALM
Defendants.

**DECLARATION OF LAURA LEE PRATHER IN SUPPORT OF DEFENDANTS'
SUR-REPLY TO PLAINTIFF'S MOTION FOR
LEAVE TO FILE THIRD AMENDED COMPLAINT**

I, Laura Lee Prather, hereby declare pursuant to 28 U.S.C. § 1746:

1. My name is Laura Lee Prather. I am over the age of twenty-one (21) years and am fully competent to make this declaration. The facts stated in this declaration are within my personal knowledge and are true and correct.

2. I am a partner at the law firm of Haynes and Boone, LLP and lead counsel for Defendants in the above-captioned lawsuit.

3. Attached to this Declaration as Exhibit A-1 is a true and correct copy of a post written by Ty Clevenger on the blog *LawFlog* entitled “Why won’t Seth Rich’s brother authorize WikiLeaks to tell what it knows?” dated June 11, 2018.

4. Attached to this Declaration as Exhibit A-2 is a true and correct copy of email correspondence from Ty Clevenger to Bill Binney, Kirk Wiebe and Ed Butowsky ("Butowsky") dated June 27, 2019. This exchange was excerpted from a document produced by William Binney

in response to Defendants' subpoena and subsequently produced to Plaintiff bearing Bates number BINNEY-00009.

5. Attached to this Declaration as Exhibit A-3 is a true and correct copy of email correspondence from Butowsky to Rod Wheeler ("Wheeler") dated May 16, 2017. This document was produced by Wheeler in *Rich v. Butowsky* Case No. 1:18-cv-00681-RJL (D.D.C) (the "Aaron Rich Case") and subsequently produced to Defendants by counsel for Aaron Rich bearing Bates number range WHEELER0000348-49.

6. Attached to this Declaration as Exhibit A-4 is a true and correct copy of Docket Entry Number 54-1, Defendant Ed Butowsky's Motion to Dismiss in *Joel & Mary Rich v. Fox News, et al.*, Civil Action No. 1:18-cv-2223 pending in the U.S. District Court, Southern District of New York.

7. Attached to this Declaration as Exhibit A-5 is a true and correct copy of [REDACTED]

[REDACTED] This document was produced by Butowsky in the *Aaron Rich* Case and subsequently produced to Defendants by counsel for Aaron Rich bearing Bates number range BUTOWSKY 0000473-476.

8. Attached to this Declaration as Exhibit A-6 is a true and correct copy of [REDACTED]

[REDACTED] This document was produced by Butowsky in the *Aaron Rich* Case and subsequently produced to Defendants by counsel for Aaron Rich bearing Bates number range BUTOWSKY 0000978-80.

9. Attached to this Declaration as Exhibit A-7 is a true and correct copy of [REDACTED]

produced by Butowsky in the *Aaron Rich* Case and subsequently produced to Defendants by counsel for Aaron Rich bearing Bates number range BUTOWSKY 0000456-57.

10. Attached to this Declaration as Exhibit A-8 is an excerpt of [REDACTED]

[REDACTED]. This document was produced by Wheeler and bears Bates number WHEELER-00000903.

11. Attached to this Declaration as Exhibit A-9 is a true and correct copy of [REDACTED]

[REDACTED]. This document was produced by Butowsky in the *Aaron Rich* Case and subsequently produced to Defendants by counsel for Aaron Rich bearing Bates number BUTOWSKY 0000574.

12. Attached to this Declaration as Exhibit A-10 is a true and correct copy of [REDACTED]

[REDACTED] This document was produced by Butowsky in the *Aaron Rich* Case and subsequently produced to Defendants by counsel for Aaron Rich bearing Bates number BUTOWSKY 0000910.

13. Attached to this Declaration as Exhibit A-11 is a true and correct copy of email correspondence from Butowsky to Malia Zimmerman (“Zimmerman”), Wheeler, and Adam Housley dated March 29, 2017. This document was produced by Butowsky in the *Aaron Rich* Case and subsequently produced to Defendants by counsel for Aaron Rich bearing Bates number WHEELER 0000177.

14. Attached to this Declaration as Exhibit A-12 are true and correct copies of [REDACTED]

[REDACTED] These communications were produced by Wheeler in response to Defendants’ subpoena and bear Bates numbers WHEELER 00000039, 47-49, 98-100, 159-61, and 182.

15. Attached to this Declaration as Exhibit A-13 is a true and correct copy of [REDACTED]

[REDACTED] This document was produced by Butowsky in the *Aaron Rich Case* and subsequently produced to Defendants by counsel for Aaron Rich bearing Bates number BUTOWSKY 0000068.

16. Attached to this Declaration as Exhibit A-14 is a true and correct copy of [REDACTED]

[REDACTED] This document was produced by Butowsky in the *Aaron Rich Case* and subsequently produced to Defendants by counsel for Aaron Rich bearing Bates number range BUTOWSKY 0000442-43.

17. Attached to this Declaration as Exhibit A-15 is a true and correct copy of [REDACTED]

[REDACTED]. This document was produced by Wheeler and bears Bates number range WHEELER 0000877-80.

18. Attached to this Declaration as Exhibit A-16 is a true and correct copy of a text message exchange between Butowsky, Wheeler, and Kash Patel (aka Dee O.) dated April 27, 2017 through May 4, 2017. This document was produced by Wheeler in the *Aaron Rich Case* and subsequently produced to Defendants by counsel for Aaron Rich bearing Bates number range WHEELER 0000940-41.

19. Attached to this Declaration as Exhibit A-17 is a true and correct copy of [REDACTED]

[REDACTED] This document was produced by Butowsky in the *Aaron Rich Case* and subsequently produced to Defendants by counsel for Aaron Rich bearing Bates number range BUTOWSKY 000061-62.

20. Attached to this Declaration as Exhibit A-18 is a true and correct copy of [REDACTED]

[REDACTED] This document was produced by Butowsky in the *Aaron Rich* Case and subsequently produced to Defendants by counsel for Aaron Rich bearing Bates number BUTOWSKY 0000066.

21. Attached to this Declaration as Exhibit A-19 is a true and correct copy of [REDACTED]

[REDACTED] This document was produced by Butowsky in the *Aaron Rich* Case and subsequently produced to Defendants by counsel for Aaron Rich bearing Bates number BUTOWSKY 0000296.

22. Attached to this Declaration as Exhibit A-20 is a true and correct copy of [REDACTED]

[REDACTED] This document was produced by Butowsky in the *Aaron Rich* Case and subsequently produced to Defendants by counsel for Aaron Rich bearing Bates number BUTOWSKY 0000992.

23. Attached to this Declaration as Exhibit A-21 is a true and correct copy of [REDACTED]

[REDACTED] This document was produced by Butowsky in the *Aaron Rich* Case and subsequently produced to Defendants by counsel for Aaron Rich bearing Bates number BUTOWSKY 0000871.

24. Attached to this Declaration as Exhibit A-22 is a true and correct copy of [REDACTED]

[REDACTED] This document was produced by

Butowsky in the *Aaron Rich* Case and subsequently produced to Defendants by counsel for Aaron Rich bearing Bates number BUTOWSKY 0000869.

25. Attached to this Declaration as Exhibit A-23 is a true and correct copy of [REDACTED]

[REDACTED] This document was produced by Butowsky in the *Aaron Rich* Case and subsequently produced to Defendants by counsel for Aaron Rich bearing Bates number range BUTOWSKY 0000340-43.

26. Attached to this Declaration as Exhibit A-24 is a true and correct copy of [REDACTED]

[REDACTED] This document was produced by Butowsky in the *Aaron Rich* Case and subsequently produced to Defendants by counsel for Aaron Rich bearing Bates number BUTOWSKY 00001180.

27. Attached to this Declaration as Exhibit A-25 is a true and correct copy of email correspondence from Butowsky to Fox News executives, producers and on-air talent claiming to “actually [be] the one who’s been putting [the Seth Rich story] together” dated May 15, 2017. This document was produced by Wheeler in response to Defendants’ subpoena and bears Bates number range WHEELER00000493-99.

28. Attached to this Declaration as Exhibit A-26 is a true and correct copy of [REDACTED]

[REDACTED] This document was produced by Butowsky in the *Aaron Rich* Case and

subsequently produced to Defendants by counsel for Aaron Rich bearing Bates number range BUTOWSKY 00000953-58.

29. Attached to this Declaration as Exhibit A-27 is a true and correct copy of [REDACTED]

[REDACTED]

[REDACTED]

This document was produced by Butowsky in the *Aaron Rich* Case and subsequently produced to Defendants by counsel for Aaron Rich bearing Bates number range BUTOWSKY 000001044-45.

30. Attached to this Declaration as Exhibit A-28 is a true and correct copy of the Declaration of Edward Butowsky, Docket Entry 32-1 in the action *Clevenger v. U.S. Dep't of Justice, et al.*, Case No. 1:18-cv-1568-LB (E.D.N.Y. Sept. 17, 2019).

31. Attached to this Declaration as Exhibit A-29 is a true and correct copy of [REDACTED]

[REDACTED]

[REDACTED]

This document was produced by Butowsky in the *Aaron Rich* Case and subsequently produced to Defendants by counsel for Aaron Rich bearing Bates number range BUTOWSKY 000001089-94.

32. Attached to this Declaration as Exhibit A-30 is a true and correct copy of email correspondence between Wheeler and Butowsky dated May 20, 2017 in which Wheeler states: "I just noticed 'my response' posted on your Facebook page ... I never approved of this 'response.'" This document was produced by Wheeler in the *Aaron Rich* Case and subsequently produced to Defendants by counsel for Aaron Rich bearing Bates number range WHEELER0000419-20.

33. Attached to this Declaration as Exhibit A-31 is a true and correct copy of [REDACTED]

[REDACTED]

[REDACTED] This

document was produced by Butowsky in the *Aaron Rich* Case and subsequently produced to Defendants by counsel for Aaron Rich bearing Bates number range BUTOWSKY 0001132-33.

34. Attached to this Declaration as Exhibit A-32 is a true and correct copy of [REDACTED]

[REDACTED] This document was produced by Butowsky in the *Aaron Rich* Case and subsequently produced to Defendants by counsel for Aaron Rich bearing Bates number range BUTOWSKY 0000370-71.

35. Attached to this Declaration as Exhibit A-33 is a true and correct copy of [REDACTED]

[REDACTED] This document was produced by Butowsky in the *Aaron Rich* Case and subsequently produced to Defendants by counsel for Aaron Rich bearing Bates number range BUTOWSKY 0001036-38.

36. Attached to this Declaration as Exhibit A-34 is a true and correct copy of [REDACTED]

[REDACTED] This document was produced by Butowsky in the *Aaron Rich* Case and subsequently produced to Defendants by counsel for Aaron Rich bearing Bates number BUTOWSKY 0000835.

37. Attached to this Declaration as Exhibit A-35 is a true and correct copy of [REDACTED]

[REDACTED] This

document was produced by Butowsky in the *Aaron Rich* Case and subsequently produced to Defendants by counsel for Aaron Rich bearing Bates number BUTOWSKY 000001413.

I declare under penalty of perjury that the foregoing is true and correct. Executed on the 23rd day of March, 2020, in Austin, Texas.



LAURA LEE PRATHER

EXHIBIT A-1

LawFlog

Because some people just need a good flogging

Contact

Why won't Seth Rich's brother authorize Wikileaks to tell what it knows?

June 11, 2018 by Ty Clevenger

It's time to call somebody's bluff.

On May 30, 2018, I asked lawyers representing Aaron Rich to authorize Wikileaks, Julian Assange, and Kim Dotcom to reveal what they know about payments to Mr. Rich or his brother, murdered Democratic National Committee employee Seth Rich. Those lawyers have been stonewalling ever since.

As you may recall, Mr. Rich [sued my client](#), Ed Butowsky, as well as *The Washington Times*, *America First Media*, and Matt Couch, in D.C. federal court on March 26, 2018, claiming they defamed him with allegations that he and his brother orchestrated leaks from the DNC to Wikileaks in exchange for cash.

It seemed obvious to me that the fastest way to resolve the dispute was to authorize the people in the best position to know to tell what they know, hence my request that Mr. Rich authorize Wikileaks, et al. to speak freely. Apparently that idea struck a nerve.

On Friday evening, [The Gateway Pundit](#), [LawAndCrime.com](#), and [Worldnetdaily](#) broke the news that Mr. Rich's lawyers had subpoenaed the Twitter records – including direct messages



Seth Rich

– of a number of right-leaning publications and authors. To the gullible masses, it might seem like Mr. Rich’s attorneys are aggressively trying to find the truth. In reality, it is the exact opposite: Mr. Rich’s attorneys are trying to intimidate anyone who asks inconvenient questions.

Like me, for example. My personal Twitter account was one of those covered by [the subpoena](#). In other words, Mr. Rich’s lawyers tried to get the private communications of their opposing counsel by serving a subpoena on Twitter.

SMOKE AND MIRRORS

Mr. Rich’s primary attorneys are partner [Michael J. Gottlieb](#) and associate [Meryl Governski](#) of Boies Schiller Flexner, LLP, a left-wing law firm headquartered in Washington, D.C. Mr. Gottlieb served as associate counsel to President Obama, and Ms. Gottlieb is a former public relations flack for CNN. Here’s the message that I first sent to Ms. Governski on May 30, 2018 at 3:14 p.m.:

I’ve attached a preservation letter that I sent to eBay and PayPal, and I have also attached a proposed waiver for your client. Julian Assange / WikiLeaks likely will not cooperate unless your client consents to the release of information. Please let me know if he is willing to consent. Thanks.



Meryl Governski

Ms. Governski responded at 4:27 p.m.:

We believe the appropriate mechanism for obtaining information from third parties is to serve subpoenas to those third parties as contemplated under the Federal Rules of Civil Procedure. Those rules do not require any advance waiver from any party in order to serve or enforce such a subpoena. If any third party has a request to make of our client as a result of a subpoena, we will address those requests directly with those third parties rather than through opposing counsel.

At 8:12 p.m. I replied as follows:

Yes, but as a practical matter, Julian Assange, Kim Dotcom, and WikiLeaks are beyond U.S. jurisdiction. Furthermore, Assange and WikiLeaks have shown that they will not be coerced into revealing the identity of their sources. It is for that reason that I am asking your client to voluntarily waive any objections to the release of such information. If you are saying your client is unwilling to do that, I think the media (and the public) will find that very interesting.

Ms. Governski did not respond, so I sent a [letter via fax and email](#) at 7:51 a.m. on June 1, 2018 to her, Mr. Gottlieb, and a third lawyer at the firm, Randall Jackson:

I write concerning your client's pleadings in the case identified above. According to Fed. R. Civ. P. 11(b), an attorney's signature on the pleadings is certification that he or she has performed "an inquiry reasonable under the circumstances" to determine the accuracy and propriety of those pleadings.

As you know, Ms. Governski and I have exchanged emails about whether your client, Aaron Rich, is willing to voluntarily authorize WikiLeaks, Julian Assange, and/or Kim Dotcom to discuss any relationship that they may have had with Mr. Rich or his brother, Seth Rich. Thus far, it appears that your client is unwilling to authorize such disclosures.

This is very telling. On the one hand, Mr. Rich boldly denies that he and/or his brother leaked DNC emails to WikiLeaks. On the other, he refuses to authorize disclosures from the witnesses who are in the best position to know who leaked those emails. That begs a question: if your client has nothing to hide, why is he hiding it?

Under Rule 11(b), you have a duty to answer that question. Furthermore, you should ask your client some pointed questions about what funds may have been transferred to him or his brother through eBay accounts. And you should remind him that every trip to a safe deposit box is recorded on video and preserved.

If the evidence leads where we expect it to lead, my client will aggressively seek sanctions against Mr. Rich and everyone else responsible for bringing meritless claims. Thank you for your attention to this matter.

At 3:20 p.m. that afternoon, I received an email notifying me that Mr. Rich's attorneys were serving a subpoena for Twitter records, including *my* Twitter records. As of that date, they knew that I was representing Mr. Butowsky because I had previously filed a motion to appear on his behalf *pro hac vice* (and without any objection from Mr. Rich or his attorneys). At 9:32 a.m. the following morning – a Saturday morning – Mr. Gottlieb personally emailed me a *five-page rant*, apparently hoping to scare me off (hint: it didn't work).

Mr. Gottlieb defended himself and his colleagues against my purported suggestion that they had "engaged in fraud upon the court," further claiming that he would be issuing subpoenas to WikiLeaks, Mr. Assange, and Mr. Dotcom. He also indicated that I would be violating the rules of the legal profession if I publicly disclosed the fact that Mr. Rich was unwilling to authorize WikiLeaks, et al. to release information. On June 5, 2018, I responded by letter noting that I had never "suggested" that Mr. Gottlieb or his colleagues were involved in a fraud upon the court:

At most, I assumed that you might not be aware of certain background information, and all of my correspondence reflects that. Your overreaction to my letter might lead reasonable people to wonder if you have a guilty conscience...

We both know that it will be nigh impossible to serve a subpoena on WikiLeaks or Mr. Assange, who was granted asylum in the Ecuadorian embassy in London. I would hope



Michael J. Gottlieb

that WikiLeaks would construe any such subpoena as an implied waiver of confidentiality with respect to your client, but it would be far simpler and more straightforward to authorize WikiLeaks to release that information directly.

With regard to Seth Rich, I am well aware that a dead person cannot assert defamation claims. His estate, on the other hand, might, have standing to enforce any confidentiality agreements that he made with WikiLeaks, and therein lies my concern. Your client is the legal representative of Seth's estate, which is why I have asked him to waive any such confidentiality

*agreements. Relatedly, I request that your client consent to unsealing the probate court records for his brother's estate [**Why would an executor ask the probate court to seal the entire record of a childless, unmarried 26-year-old decedent with minimal assets?**]. At some point we will need to determine whether funds from WikiLeaks were routed through that estate.*

Mr. Gottlieb never responded to that letter. On June 7, 2018, I emailed Mr. Gottlieb asking when he planned to issue the subpoenas for WikiLeaks, Julian Assange, and Kim Dotcom. He has not responded, and I doubt that he will respond.

Remember, we're dealing with a former Obama White House lawyer and a former CNN flack, both of whom appear to be well-versed in the dark art of spinning a story. Among the Twitter accounts covered by the June 1, 2018 subpoena is the one belonging to WikiLeaks, thus Mr. Gottlieb and Ms. Governski tried to create the appearance that they want to release relevant information about WikiLeaks.

Don't believe it for a minute. For starters, the June 1, 2018 subpoena is frivolous and unenforceable. Shortly after the subpoena was made public, attorney Robert Barnes tweeted out a 2008 federal case holding that civil subpoenas cannot be used to seize communications from third-party servers. See *In re Subpoena Duces Tecum to AOL, LLC*, 550 F. Supp. 2d 606 (E.D. Va.). It's not even a close question:

*The Stored Communications Act ("SCA") unambiguously states that the contents of electronically stored communications shall not be disclosed to parties unless an enumerated exception applies. 18 U.S.C. § 2702. A civil subpoena is not an exception. See *In re Facebook, Inc.*, 923 F.Supp.2d 1204, 1206 (N.D.Cal.2012) ("The case law confirms that civil subpoenas may not compel production of records from providers like Facebook."); *Viacom Intern. Inc. v. Youtube Inc.*, 253 F.R.D. 256, 264 (S.D.N.Y.2008) ("[SCA] § 2702 contains no exception for disclosure of [private videos and the data which reveal their contents] pursuant to civil discovery requests."); *In re Subpoena Duces Tecum**

to AOL, LLC, 550 F.Supp.2d 606, 611 (E.D.Va.2008) (“... the statutory language of the [SCA] does not include an exception for the disclosure of electronic communications pursuant to civil discovery subpoenas.”).

Finkle v. Howard Cty., Md., No. CIV. SAG-13-3236, 2014 WL 6835628, at *2 (D. Md. Dec. 2, 2014), aff’d sub nom. *Finkle v. Howard Cty.*, 640 F. App’x 245 (4th Cir. 2016).

Furthermore, there are other (and much better) ways to communicate securely than by private Twitter message, a fact that would have been known both to WikiLeaks and to Seth Rich, who was an IT professional. Aaron Rich probably knows already that neither he nor his brother sent any messages to WikiLeaks via Twitter, thus it is safe for his lawyers to pretend that they are trying to reveal the truth about WikiLeaks by serving an unenforceable subpoena for its private messages. At the same time, Mr. Rich refuses to authorize WikiLeaks itself to release information transmitted by other methods, e.g., Protonmail or Signal. I guess they assumed that a hayseed like me wouldn’t recognize the head fake.

By 1:45 p.m. on Sunday afternoon, I received a [notice](#) from [Joshua Riley](#), another partner at Boies Schiller, that Mr. Rich was withdrawing his June 1, 2018 subpoena. Frankly, I was a little disappointed, because I had almost finished drafting a ferocious motion to quash the subpoena and sanction the attorneys who issued it.

According to Mr. Riley, his firm intends to issue a revised subpoena, so allow me to issue this unrevised warning to the Boies Schiller firm: if you creeps pull another stupid stunt like trying to subpoena my private messages, I’m asking for sanctions. Your boy Robert Mueller may have succeeded in seizing Michael Cohen’s records, but I am not Michael Cohen, I have not done anything unethical or illegal, and I doubt most judges would tolerate oily shysters who harass opposing counsel with frivolous subpoenas.

WHAT IS AARON RICH’S CASE REALLY ABOUT?

I’m not the first to wonder how the Rich family is paying \$1,000-per-hour law firms to carry out their litigation campaign. According to my client, he agreed to pay for a private investigator in 2016 because the family said it could not afford to hire one. So where is all the money coming from now?

The first possibility is that the firms took these cases on a contingency basis. As a general rule, Republicans and conservatives don’t know how to play offense, either politically or legally, so maybe Boies Schiller thought it could bully and intimidate the defendants into a quick settlement. As it happens, one of the attorneys representing *The Washington Times* told me



Joshua Riley

last week that the company is already negotiating a settlement with Aaron Rich (I encouraged the *Times* lawyer to **stand firm** at least until we get to the evidence).

Another source told me that the *Times*'s tentative settlement amount is \$100,000. For a firm like Boies Schiller, that's chump change and not worth the time, but it virtually guarantees that the *Times* will no longer cover the Seth Rich story, just like Fox News no longer covers the story. (It's amazing what a frivolous lawsuit can accomplish).

Then there's the lawsuit that Seth Rich's parents filed against my client for defamation and intentional infliction of emotional distress. Lawyers across the political spectrum consider that lawsuit frivolous, so there's virtually no chance that a law firm would have taken that case on a contingency.

That leaves one other possibility: the Rich family's litigation campaign is being bankrolled by a third party or third parties. I believe that explanation is far more plausible, but it begs another question: why would someone want to fund these lawsuits?

Perhaps because the Democratic establishment is trying to muddy the waters. After all, major Democratic donors kept funding Christopher Steele's "investigation" after it was publicly exposed and discredited. And the Democratic National Committee sued President Trump for purportedly colluding with Russia, even as the whole Russiagate story was unraveling and even though the DNC knew the lawsuit would permit Republicans to examine the DNC's computer servers (*i.e.*, the ones that the DNC would not allow even the FBI to examine).

We also know that Obama's henchmen used the full force of the federal government to caricaturize Carter Page as a Russian spy, and we recently learned (1) that the Obama Administration targeted the Trump campaign as far back as 2015 and (2) British intelligence assisted American intelligence in targeting the Trump campaign.

What does that have to do with Seth Rich? Last week a retired CIA officer shared a very plausible theory with me. First, we can safely assume that American and British intelligence were monitoring Julian Assange and WikiLeaks. If Seth Rich was sending DNC records to WikiLeaks, the intelligence services probably would have figured that out.

So let's say the Obama Administration learned that (1) leaked emails would soon be published, and (2) they would be very damaging to Hillary Clinton, Debbie Wasserman-Schultz, and the DNC. What to do? Blame the Russians. If the Obama Administration was willing to frame Carter Page, then it would have no qualms about pointing fingers at Russia.

Remember, Seth Rich was a Bernie Sanders supporter. How bad would it look if a DNC employee aired his party's dirty laundry because he was appalled by the way that the DNC rigged the primaries in favor of Hillary? No, it would be much more expedient for the Democrats to muddy the waters by declaring themselves the victims of international espionage, particularly if they could accuse their opponent of colluding with the foreign spies.

Finally, here's another hypothetical to consider. Suppose I got a tip from London that WikiLeaks could discretely transfer cash to Seth Rich by arranging a dummy sale on eBay, e.g., paying \$50,000 to a sham merchant account for a non-existent product. Would that explain why Boies Schiller wants my private communications? Because they want to figure out who my sources are?

Good luck serving a subpoena on my email server in Switzerland.

DON'T BE A KOOK

Some of my friends have warned me to stay away from the Seth Rich case because it's too fringe, and because it will damage my credibility. I think that's exactly what Michael Gottlieb and his ilk are trying to achieve, namely to gaslight anyone who questions the official narrative. Remember, I didn't start blogging about Seth Rich until the FBI and the Justice Department [stonewalled my requests for information](#) (BTW, a hearing on my [FOIA lawsuit](#) is scheduled for June 20, 2018 in Brooklyn).

And it's not just right-wingers who are asking questions. One of the Twitter accounts subpoenaed by Boies Schiller belongs to Jared Beck, an attorney who, like me, has been involved in litigation related to Seth Rich. Jared was an ardent Bernie Sanders supporter and he is a harsh critic of President Trump, proving that you don't have to be a Trump supporter to question the official narrative, and you don't have to be a Republican to fear the deep state.

📁 Uncategorized

- ◀ [Sgt. Tallywacker rides again — hide the women and children!](#)
- ▶ [Maryland high court whitewashes criminal misconduct of Hillary Clinton lawyers](#)

Add a comment...

**Brenda Sinclair**

WHO MURDERED SETH RICH? you would think seths family would want this question answered, clearly they already know but DNC IS BANK ROLLING THEM TO BE QUITE

[Like](#) · [Reply](#) · 5 · 1y

**Brenda Sinclair**

"WE THE PEOPLE' HAVE THE POWER OF OUR VOICES AND OUR VOTES TO VOTE OUT COME NOV 2018,THE ENTIRE LYING CORRUPT, TREASONOUS, DEMOCRAT PARTY, VOTE TO MAKE AMERICA GREAT AGAIN AND TO END ALL CORRUPTION IN WASHINGTON GOVERNMENT END THE WASHINGTON PEDOPHILIA"

[Like](#) · [Reply](#) · 3 · 1y

**Dean Lyall**

BS

[Like](#) · [Reply](#) · 1y

**Rosa-Shoshana Mintz-Urquhart**

All very compelling and creditable. I was a marching, rallying supporter at The Freedom for Julian Assange Rally last Tues June 19,2018 held in front of The British Embassy in Wash, DC from 4:30pm - 6:30pm est

[Like](#) · [Reply](#) · 1y

**Maria Concilio**

Seymour Hersh also beleives that Seth Rich was giving Julian Assange information regarding the DNC and the voting irregularities. Seth Rich and don't forget Shawn Lucas both died because they challenged the DNC.

[Like](#) · [Reply](#) · 1 · 1y

Facebook Comments Plugin



Ty Clevenger says:

June 11, 2018 at 2:48 am

06/11/2018

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Email Address

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About this blog

LawFlog is the blog of Ty Clevenger, a Texas attorney who lives in Brooklyn. Posts are irregular at best (and Dulcolax doesn't seem to help). You can reach Ty at tyclevenger at gmail dot com, you can follow Lawflog on Facebook or Twitter (@Ty_Clevenger), or you can leave a voice message at 979-985-5289.

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EXHIBIT A-2

From: Ty Clevenger <tyclevenger@yahoo.com>
Sent: Thursday, June 27, 2019 4:09 AM
To: Kirk Wiebe
Cc: Bill Binney Cell; Ed Butowsky
Subject: Re: Draft subpoena for Democratic National Committee

I'm interested, but I would have to show a connection to Ed's case.

On Wednesday, June 26, 2019, 11:04:06 PM EDT, Kirk Wiebe wrote:

Ty/Ed -

Can you tell us whether anyone intends to subpoena the Intel Community, James Comey, and the FBI regarding illegal surveillance of Trump and other innocent citizens by Dennis Montgomery, CIA contractor?

It would be a huge mistake for Prosecutor John Durham, AG Barr and/or Congress (Jim Jordan and Devin Nunes) not to subpoena Montgomery to investigate his claims, including why then DNI Negroponte invoked the State Secrets Act against Montgomery in a court case involving his activities.

Very best regards,

Kirk Wiebe

On Jun 26, 2019, at 22:15, Larry Johnson <ljohnson1@me.com> wrote:

The only thing I would add is "Who was the network administrator or administrators for the DNC server/servers?" I'm told it was Imran Awan.

LJ

On Jun 26, 2019, at 6:06 PM, Ty Clevenger <tyclevenger@yahoo.com> wrote:

Gentlemen,

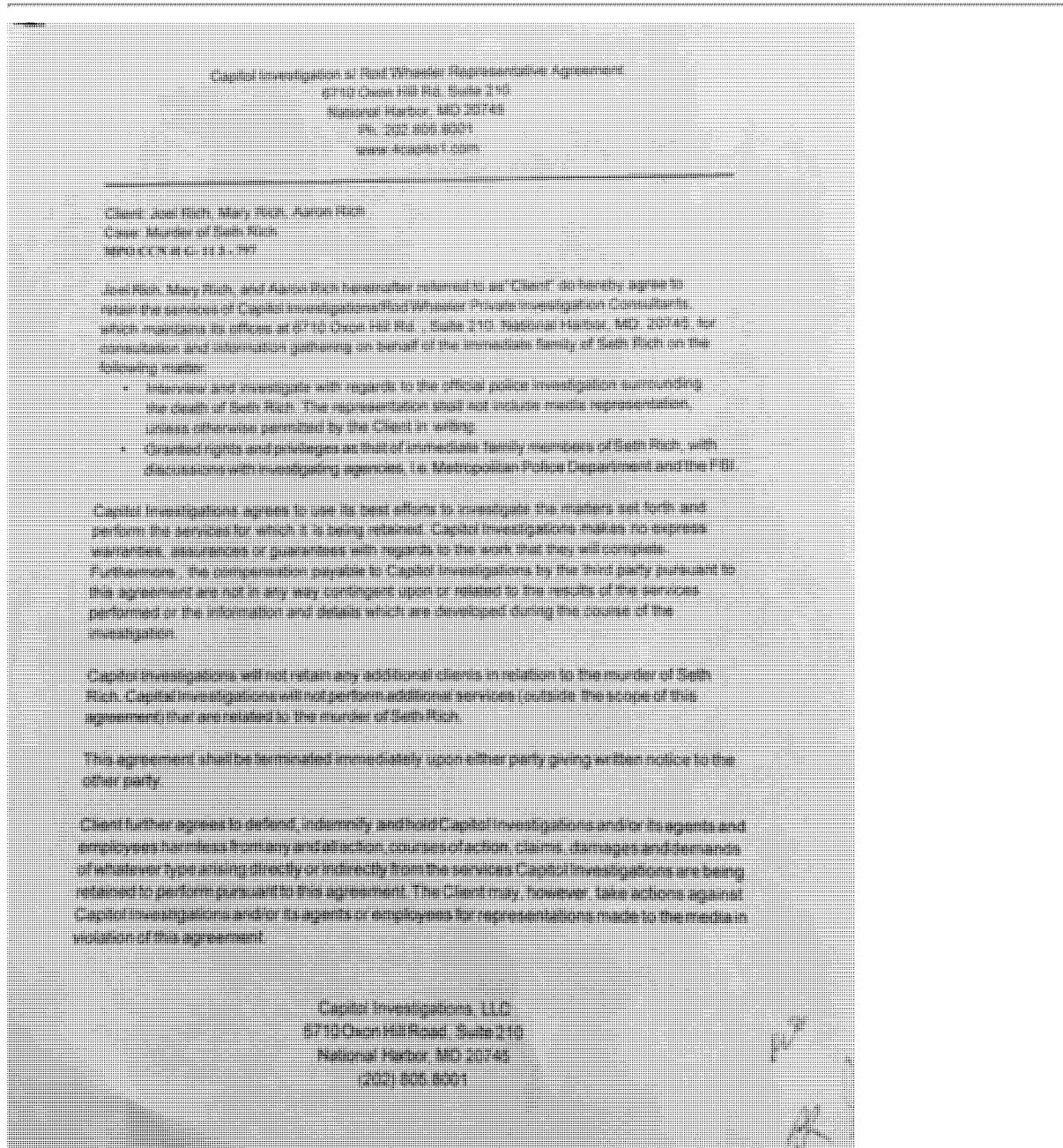
I've attached a draft subpoena to the DNC for information related to Seth Rich. I'm working on a similar draft for Crowdstrike. Suggestions welcome!

Ty Clevenger

EXHIBIT A-3

From: ebutowsky@gmail.com
To: Rod Wheeler <rod@rodwheeler.com>
Subject: No Subject
Date: May 16, 2017 at 11:53:00 AM EDT

You might print off and sign your name then take a picture of it and send it to wherever it needs to be. I think that would be a very very smart idea.



This approach should be followed in all cases. There is, however, one important exception to this rule.

A third category of investigations may be initiated by Criminal Investigators 1, 2, 3 and supervised by Criminal Investigators 4, 5, 6 and 7. These investigations are initiated as a result of a complaint and may commence or be initiated by any Criminal Investigator prior written authorisation of Criminal Investigators 1, 2, 3 and 4. Criminal Investigators 5, 6 and 7 may only receive authorisation to commence or supervise investigations, including those investigations for which they are not the lead Criminal Investigator, if they receive a written authorisation from Criminal Investigators 1, 2, 3 and 4. Criminal Investigators 5, 6 and 7 may only receive authorisation to commence or supervise investigations, including those investigations for which they are not the lead Criminal Investigator, if they receive a written authorisation from Criminal Investigators 1, 2, 3 and 4.

This argumentative construction, then, reflects a representational distinction that provides both a ground for the argument and a reason for its presentation by a different linguistic means than that of the argument itself. There are, of course, other argumentative devices, namely, *examples*, *metaphors*, *metonymies*, *metalepses*, *metonymies*, and *metaphors*. These, however, may only be identified as *metalinguistic* *metaphor* *metaphors*.

卷之三

3-11-17

Cambridge
Massachusetts
May 1963

1000

Consequently, the number of individuals in the population is not constant, but fluctuates, depending on the availability of food and other environmental factors.

EXHIBIT A-4

EXHIBIT 1

Capitol Investigations/Rod Wheeler Representative Agreement

6710 Oxon Hill Rd. Suite 210
National Harbor, MD 20745
Ph. 202.805.8001
www.4capitol.com

Client: Joel Rich, Mary Rich, Aaron Rich

Case: Murder of Seth Rich

MPD CCN#16-113-797

Joel Rich, Mary Rich, and Aaron Rich hereinafter referred to as "Client" do hereby agree to retain the services of Capitol Investigations/Rod Wheeler Private Investigation Consultants, which maintains its offices at 6710 Oxon Hill Rd., Suite 210, National Harbor, MD. 20745, for consultation and information gathering on behalf of the immediate family of Seth Rich on the following matter:

- Interview and investigate with regards to the official police investigation surrounding the death of Seth Rich. The representation shall not include media representation, unless otherwise permitted by the Client in writing.
- Granted rights and privileges as that of immediate family members of Seth Rich, with discussions with investigating agencies, i.e. Metropolitan Police Department and the FBI.

Capitol Investigations agrees to use its best efforts to investigate the matters set forth and perform the services for which it is being retained. Capitol Investigations makes no express warranties, assurances or guarantees with regards to the work that they will complete. Furthermore, the compensation payable to Capitol Investigations by the third party pursuant to this agreement are not in any way contingent upon or related to the results of the services performed or the information and details which are developed during the course of the investigation.

Capitol Investigations will not retain any additional clients in relation to the murder of Seth Rich. Capital Investigations will not perform additional services (outside the scope of this agreement) that are related to the murder of Seth Rich.

This agreement shall be terminated immediately upon either party giving written notice to the other party.

Client further agrees to defend, indemnify and hold Capitol Investigations and/or its agents and employees harmless from any and all action, courses of action, claims, damages and demands of whatever type arising directly or indirectly from the services Capitol Investigations are being retained to perform pursuant to this agreement. The Client may, however, take actions against Capitol Investigations and/or its agents or employees for representations made to the media in violation of this agreement.

Capitol Investigations, LLC
6710 Oxon Hill Road, Suite 210
National Harbor, MD 20745
(202) 805.8001

WR
RR *JKR*

This agreement shall be binding upon Client's heirs, devisees, legatees, administrators, executors, successors, and assignees.

This agreement shall be construed and interpreted in accordance with the laws of the State of Maryland. If any portion of this agreement is determined to be invalid or unenforceable, the remainder of the agreement shall continue in full force and effect.

All information developed and submitted by Capitol Investigations LLC and provided to Client or Client's authorized representative shall be treated as strictly confidential and not released or disclosed to any third party without the prior written authorization of Capitol Investigations. Capitol Investigations shall not release any information regarding the investigation, including but not limited to findings, working theories or path forward to any third party without prior authorization by Client; unless that third party is an investigating agency, i.e. Metropolitan Police Department and the FBI.

Any and all compensation or fees associated with the investigation and this agreement shall be paid by Mr. Ed Butowsky, the "third party," in accordance with agreements made between Capitol Investigations and Mr. Ed Butowsky. Should any action involved in the investigation create a fee outside of this agreement, or should Mr. Ed Butowsky fail to pay fees, the Client is held harmless and will not be responsible for paying any fees, including outstanding balances.

This agreement constitutes the entire agreement between the parties with respect to the services to be provided by Capitol Investigations pursuant to this agreement. There are no other agreements, express, implied, written, oral or otherwise, except as expressly set forth herein. This agreement may only be modified in writing signed by both parties.

Dated:

3-14-17

CLIENT(S):

Joel Roth
Maya Lach
Sol Babb

Dated:

3/14/2017

Capitol Investigations, LLC: By:

Rod Wheeler

Capitol Investigations, LLC
6710 Oxon Hill Road, Suite 210
National Harbor, MD 20745
(202) 805.8001

EXHIBIT A-5

EXHIBIT A-6

EXHIBIT A-7

EXHIBIT A-8

EXHIBIT A-9

EXHIBIT A-10

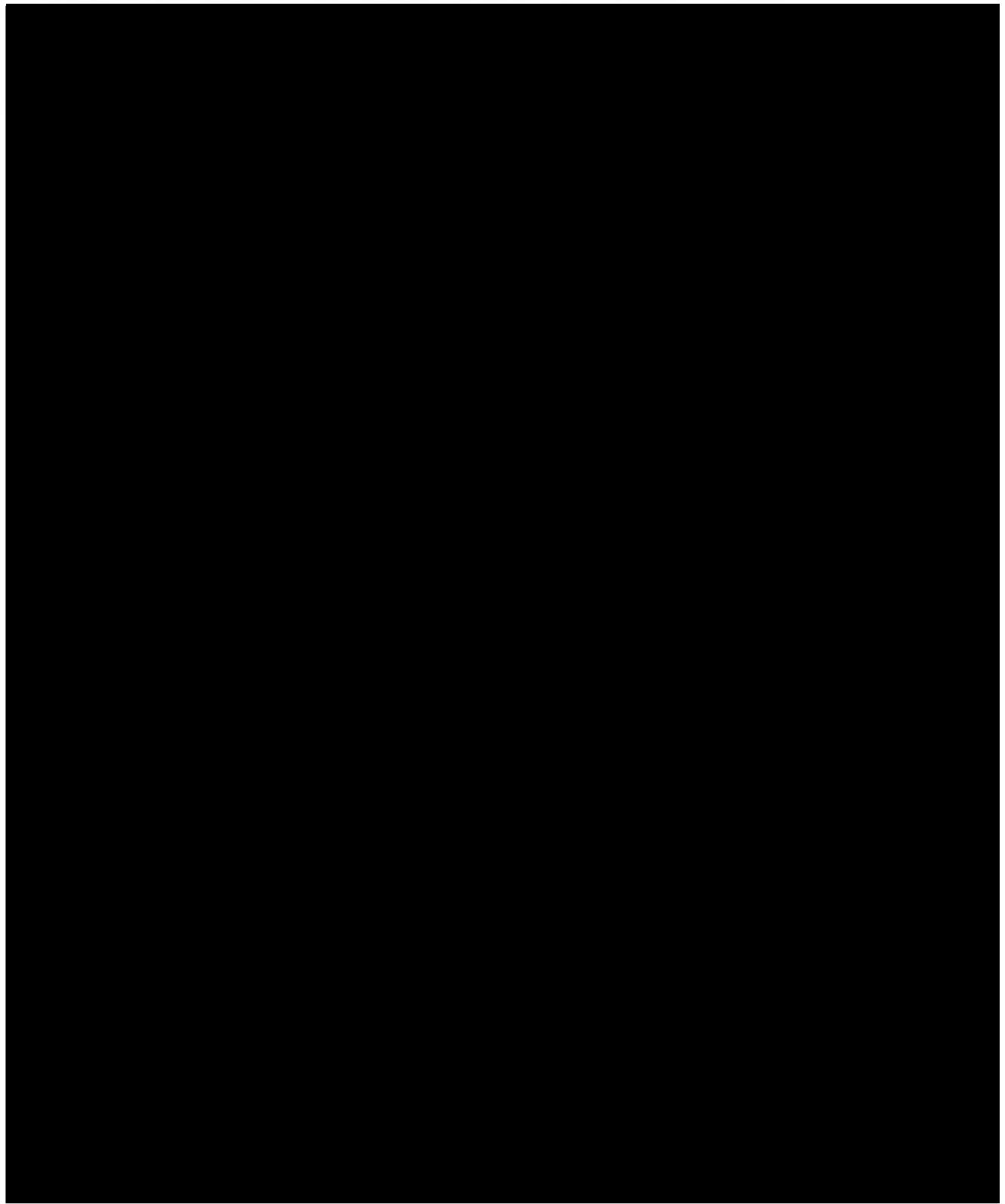
EXHIBIT A-11

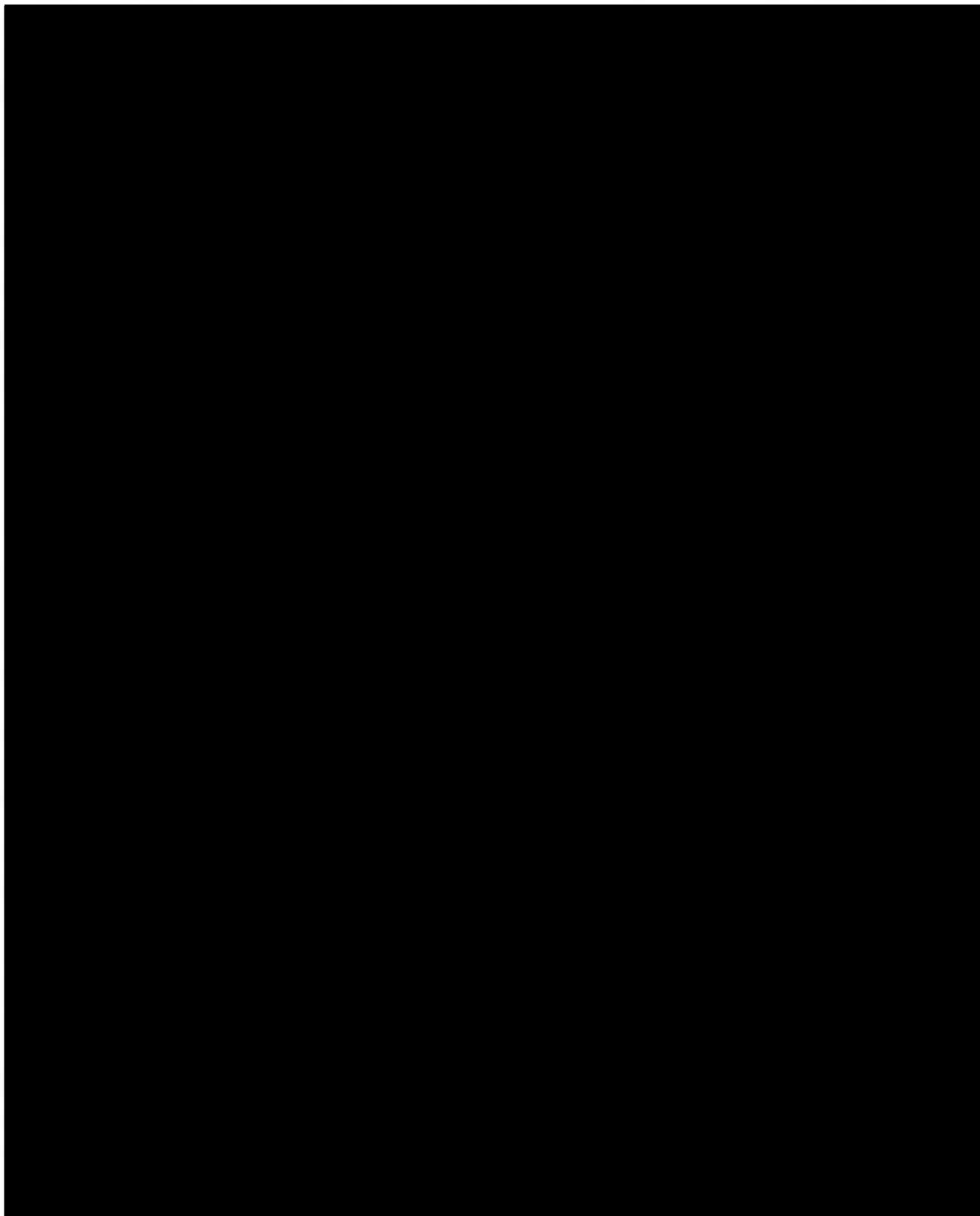
From: ebutowsky@gmail.com
To: Rod Wheeler <rod@rodwheeler.com>, Malia Zimmerman <maliaczimmerman@gmail.com>, Adam Housley <adam.housley@foxnews.com>, ed's gmail <ebutowsky@gmail.com>
Subject: A four -way
Date: March 29, 2017 at 3:47:41 PM EDT

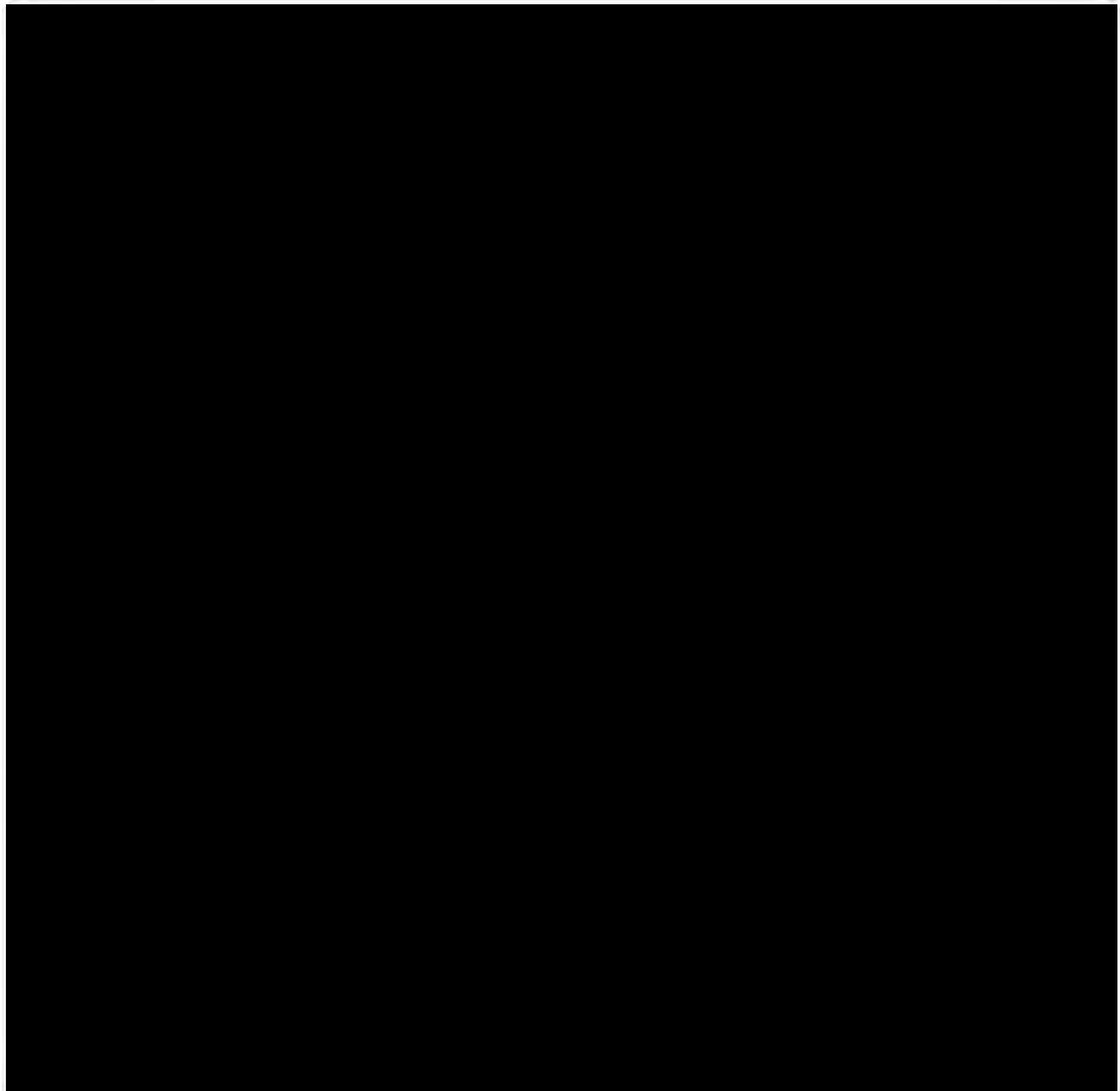
I really need a four-way zoom video conference tomorrow with all of you. Please tell me what times DO NOT work for you tomorrow?

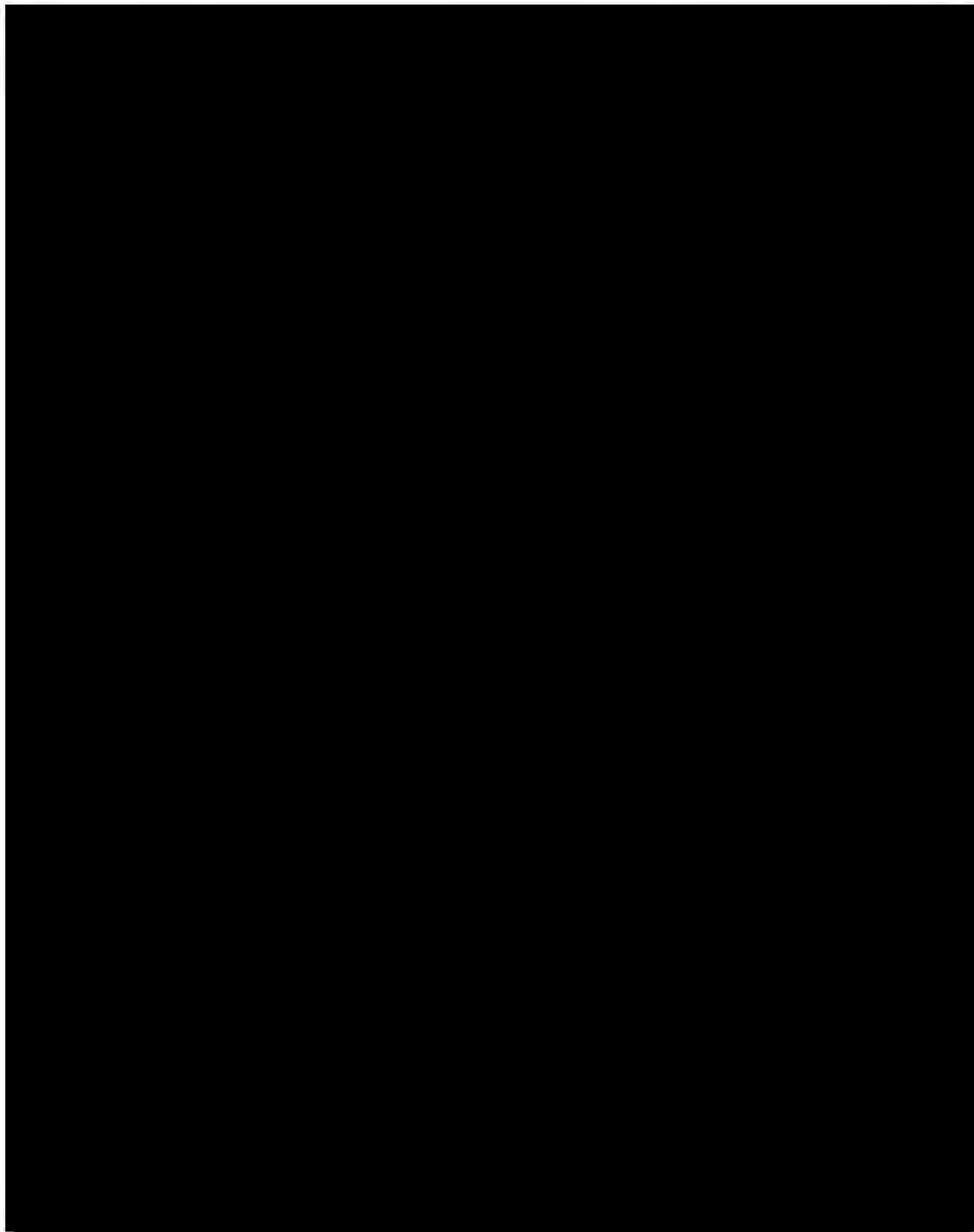
We are on the 1 yard line and we need to take it over the goal line and in order to do that we all need to be on a video conference as a starting point. Once I get the time set I will send out a link.

EXHIBIT A-12



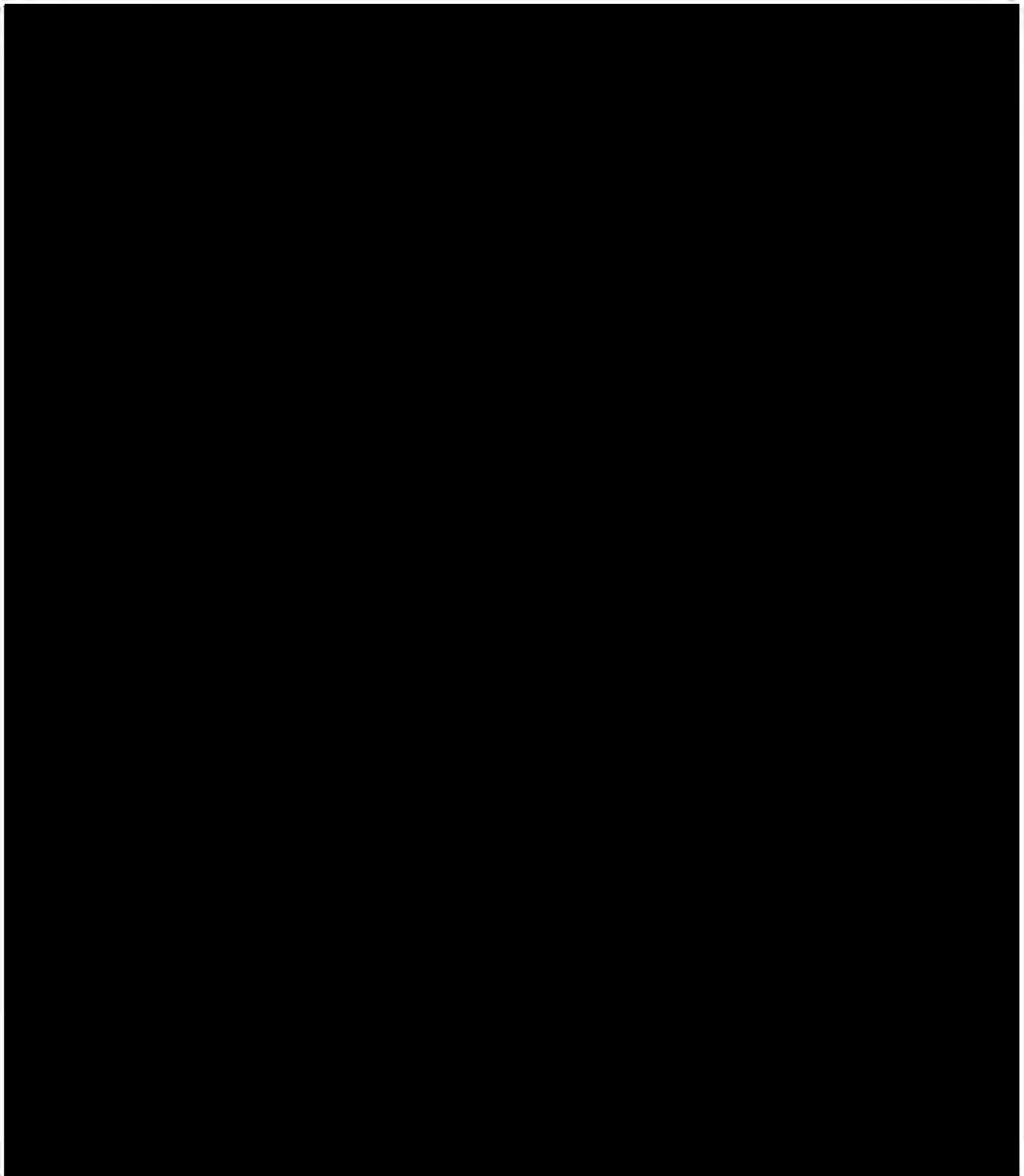


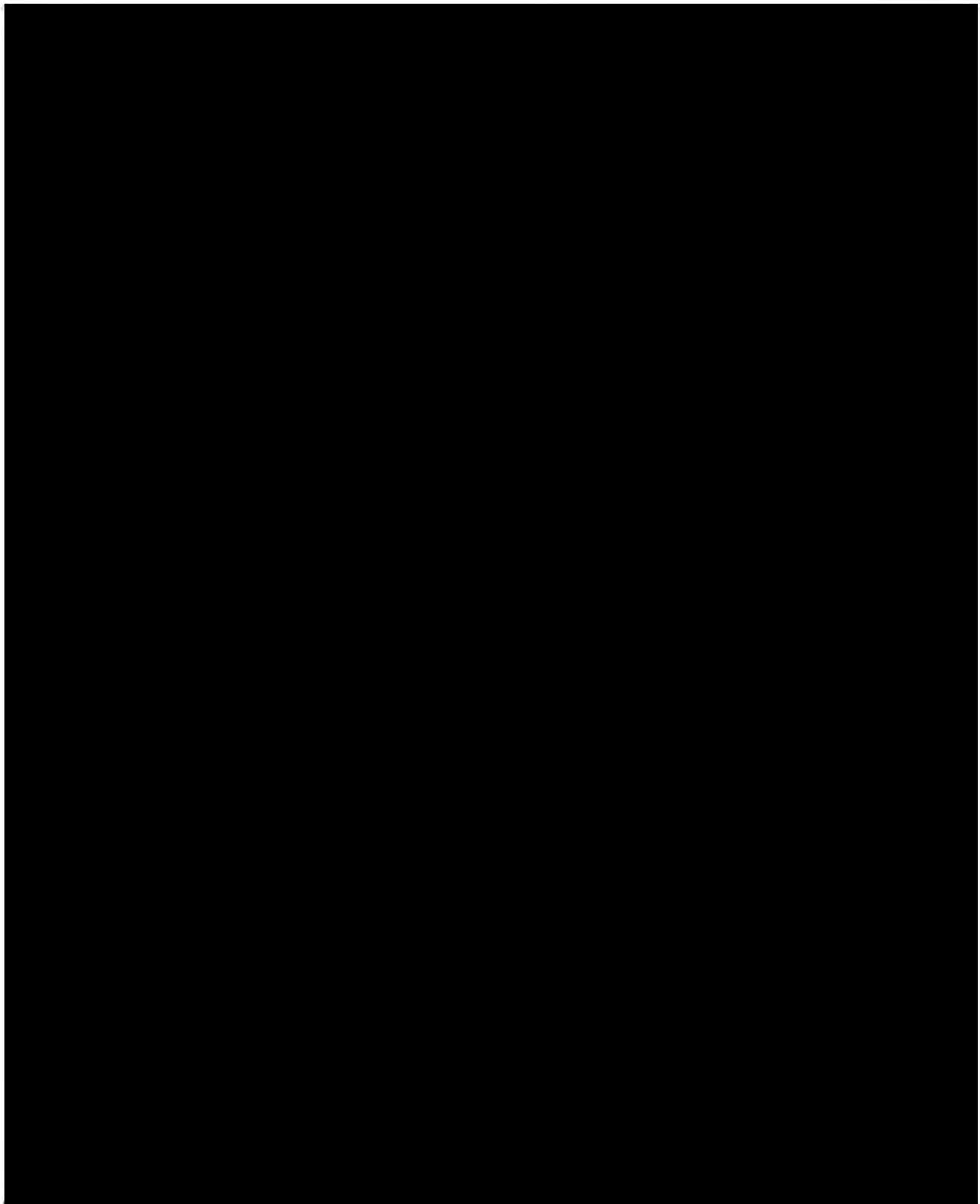


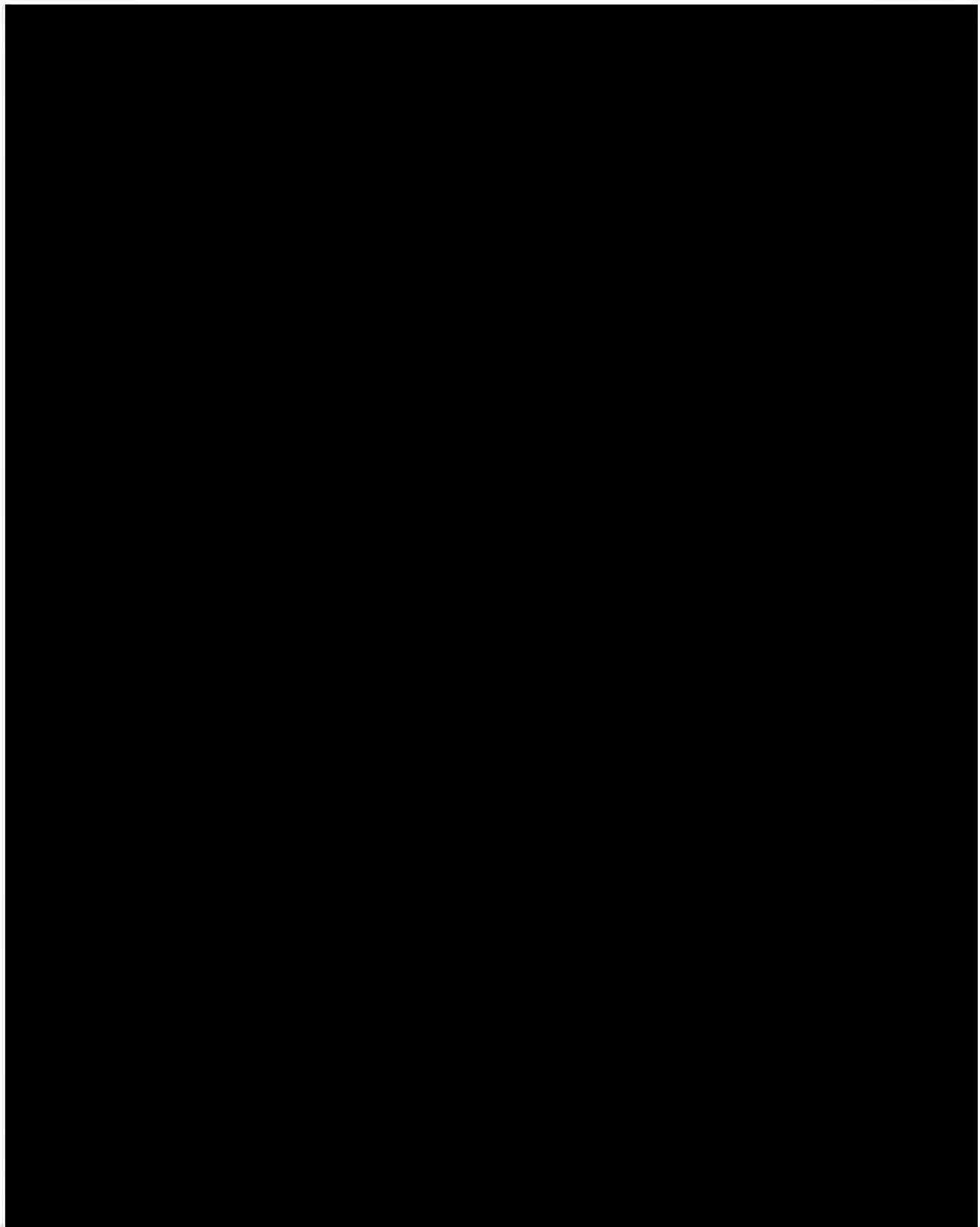


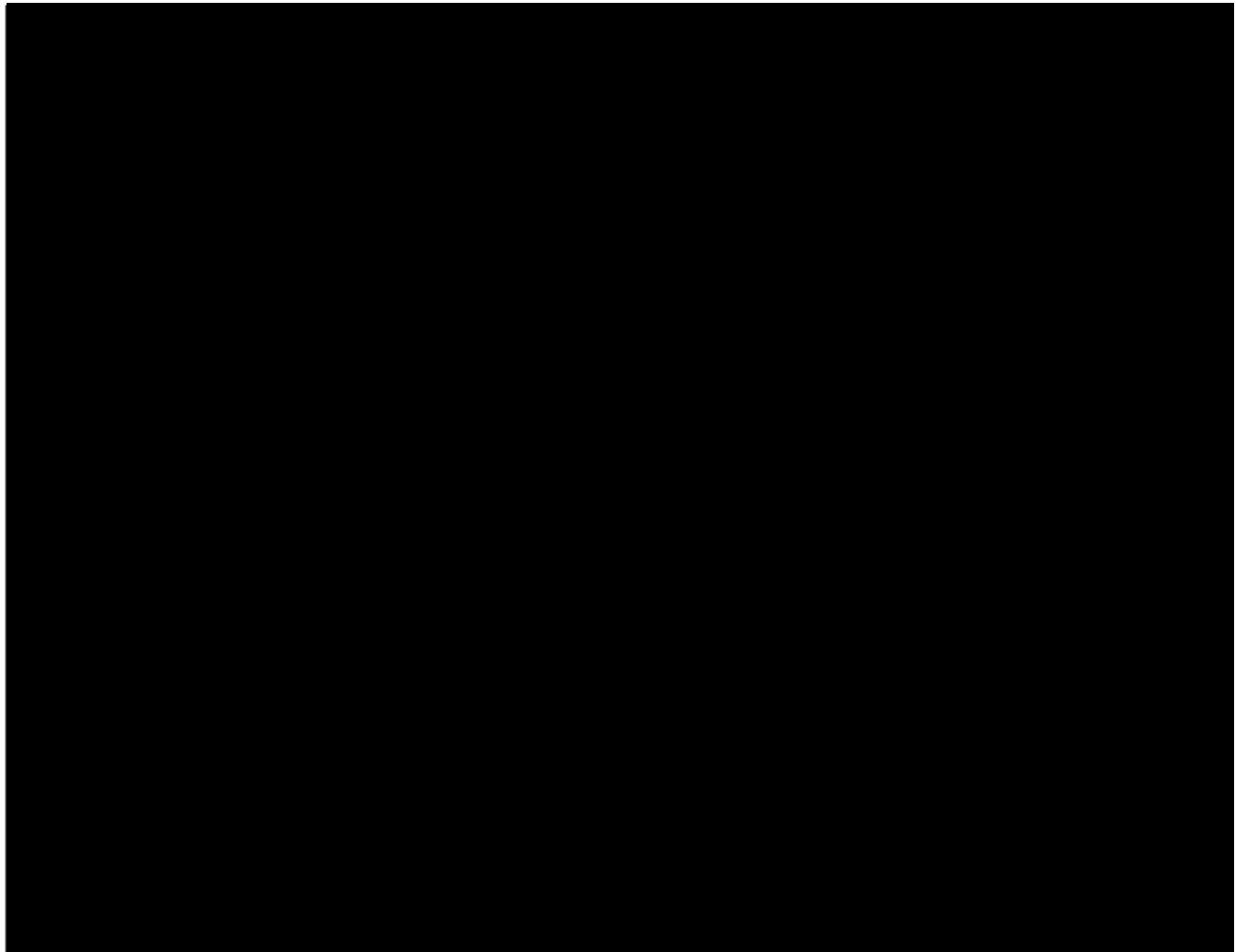
CONFIDENTIAL

WHEELER-00000099









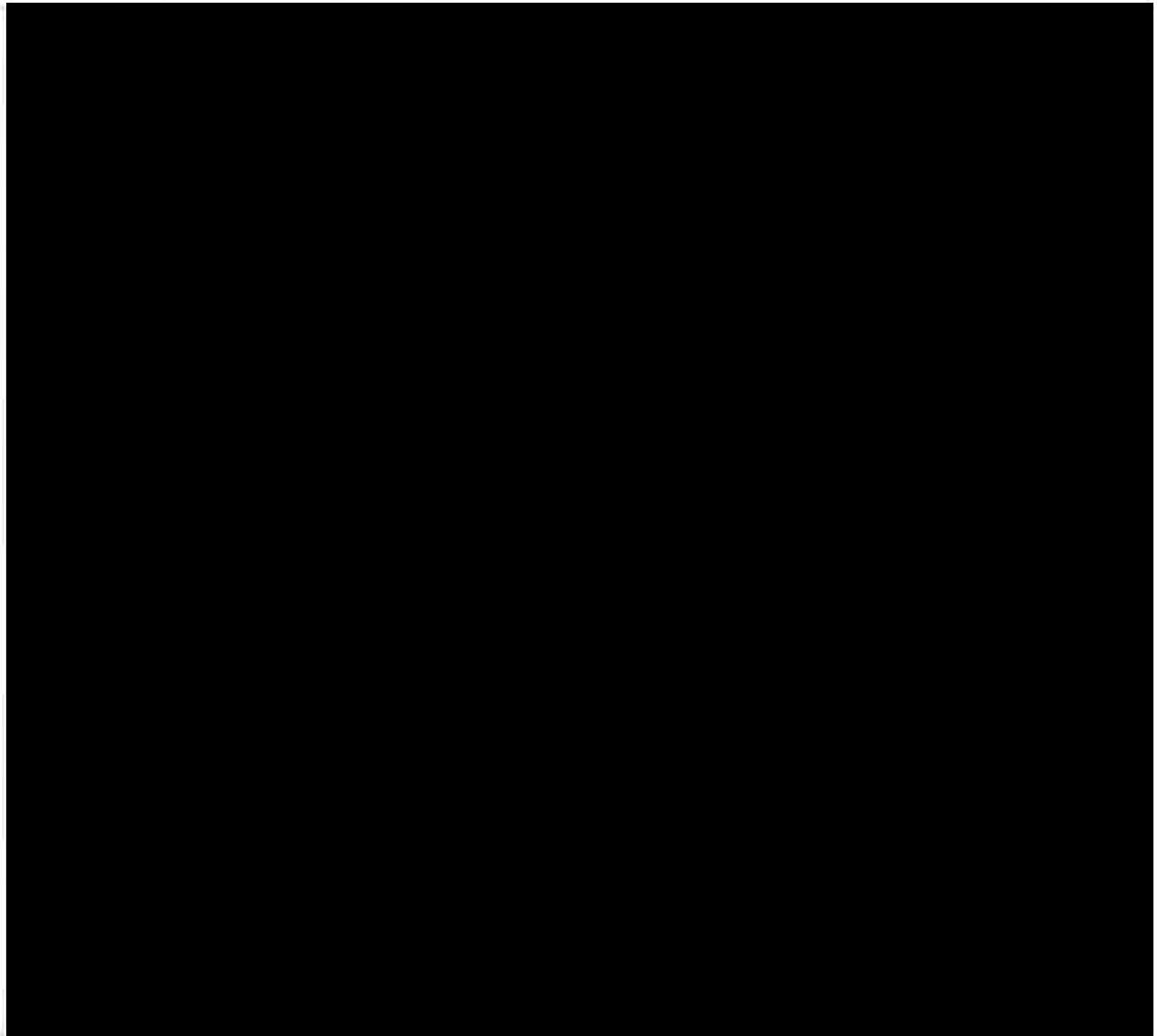


EXHIBIT A-13

EXHIBIT A-14

EXHIBIT A-15

EXHIBIT A-16

Message with <1 (372) 697-6197

4/27/17 12:52 PM

ED Butowsky
Gentlemen please meet. Rod this is my friend who is looking into something we've been working on. I suggest you pick a location and a date and meet in person soon as possible. Rod, free to share everything and anything with him.

Cash

Thanks ed. Rod let me know

Cash

Ok, ill let you know. This afternoon may be tough

ED Butowsky

Gentlemen, Please try to meet early this week even if it's just for 20 minutes. Rod you have a lot of info to get to Dee O. Dee O, this information is really eye-opening

Cash

What's your schedule rod?

Cash

Let me know your schedule when you are back in dc area and we will link up

Cash

Please connect to today

ED Butowsky

Im in hearings all day today. How about tomorrow at 830am near the capitol?

Cash

Any chance we can meet on the steps of the library of congress and duck inside there to chat. I have an 11 back inside the dome i need to make

Cash

Sure, no worries. See you then 830-30am tomorrow. Have a great day!

Cash

Awesome. Thanks

Screenshot



WHEELER0000941

Details

Message with 1503062281
5/11/17, 2:40 PM

Can we chat tomorrow, today is crazy
Can we call me real outside. Upstate NY 202-255-3002

6/11/17, 6:38 PM
8pm works

Somewhere in shaw/chinatown

Trying to think of place we can speak

How bout la colombe coffee shop in blagdeler alley, behind 9th and N

(Meeting to have back from the detective to confirm.)

To: Cash



Screenshot

EXHIBIT A-17

EXHIBIT A-18

EXHIBIT A-19

EXHIBIT A-20

EXHIBIT A-21

EXHIBIT A-22

EXHIBIT A-23

EXHIBIT A-24

EXHIBIT A-25

From: ebutowsky@gmail.com
To: Rod Wheeler <rod@rodwheeler.com>
Subject: " final " version that she sent to nyc to be published
Date: June 9, 2017 at 2:09:22 PM EDT

This was the final version from what I understand it was sent to New York to be published.

From: ed butowsky <edbutowsky@icloud.com>
Date: May 15, 2017 at 10:55:54 PM CDT
To: lauren petterson <lcpetter@gmail.com>,
LAUREN.PETTERSON@FOXNEWS.COM, steve doocy
<steve.doocy@foxnews.com>, steve doocy <stevedoocy@mac.com>, Gavin Hadden
<gavin.hadden@gmail.com>, Gavin Hadden <gavin.hadden@foxnews.com>, Sean
Groman <sean.groman@FOXNEWS.COM>, Alan Hall <alan.hall@foxnews.com>,
Brian Kilmeade <brian.kilmeade@foxnews.com>, Ainsley Earhardt
<ainsleyproctor@gmail.com>
Subject: Dnc staffer sent emails to Wikileaks

The story is or will be up very early tomorrow morning. Rod Wheeler is up and ready to give interviews. There's more to come on the story but for now this is a massive story there's going to be talked about for a long time.

If you have any questions about the story or more information needed, call me at 972-897-0197. I'm actually the one who's been putting this together but as you know I keep my name out of things because I have no credibility.

One of the big conclusions we need to draw from this is that the Russians did not hack into our computer systems and steal emails and there was no collusion like trump with the Russians.

We're gonna have a follow up story which includes Donna Brazil in her role in all of this.

From: "Zimmerman, Malia McLaughlin" <Malia.Zimmerman@FOXNEWS.COM>
Date: May 15, 2017 at 10:41:02 PM CDT
To: "edbutowsky@icloud.com" <edbutowsky@icloud.com>
Subject: Dnc staffer sent emails to Wikileaks

By Malia Zimmerman

The Democratic National Committee staffer who was gunned down on July 10 on a Washington, D.C., street last July just steps from his home in the cozy Washington DC's Columbia Heights neighborhood, leaked thousands of highly controversial emails to WikiLeaks that were generated internally between DNC party leaders, Fox News has confirmed after a 10-month investigation.

A federal investigator who reviewed an FBI forensic report detailing the contents of DNC staffer Seth Rich's computer generated within 96 hours after his murder, said Rich made contact with WikiLeaks through Gavin MacFadyen, a famous American investigative reporter, documentary filmmaker, and director of WikiLeaks who was living in London.

"I have seen and read the emails between Seth Rich and WikiLeaks," the federal investigator told Fox News, confirming the MacFadyen connection. He said the whole case was put to rest after the FBI initial audit. FBI agents were told not to investigate further. The emails sit inside the FBI today, said the federal agent, who asked to remain a confidential source.

Rod Wheeler, a former DC homicide police detective who now runs a private detective firm, said he too uncovered substantial evidence and information that led him to believe the connection between Rich and WikiLeaks.

"My investigation up to this point shows there was some degree of email exchange between Seth Rich and WikiLeaks," said Wheeler, who was hired to investigate Rich's murder. "I do believe that the answers to who murdered Seth Rich sits on his computer on a shelf at the DC police or FBI headquarters."

The last of the 44,053 emails and 17,761 attachments between Democratic National

Committee leaders, which spanned from January 2015 through late May 2016, were transferred from Rich to WikiLeaks before May 21. Fifty days later, Rich was murdered, shot twice in the back and left to die just steps from his home.

On July 22, just 12 days after Rich was killed, WikiLeaks published the emails. They showed top DNC officials conspired to stop Sen. Bernie Sanders of Vermont from becoming the party's presidential nominee. That controversy resulted in Debbie Wasserman Schultz resigning as DNC chairperson. A number of Sanders supporters refused to back party nominee, Hillary Clinton, and some subsequently formed groups to work against Clinton and their party.

On August 9, WikiLeaks added another mysterious twist to Rich's murder by announcing: "WikiLeaks has decided to issue a US\$20k reward for information leading to conviction for the murder of DNC staffer Seth Rich."

While some in the intelligence community and Congress have blamed Russian hackers for stealing and leaking emails from the DNC and Hillary Clinton's campaign to WikiLeaks to impact the election in Donald Trump's favor, the emails show, at least in the case of the DNC emails, the emails were forwarded by Rich. Some close to the investigation believe he could have done this to expose the party's bias against Sanders.

The Metropolitan Police Department has no suspects and no substantial leads as to who the killer or killers may be, sources close to the investigation said.

Metropolitan Police, including the police chief, have continuously refused to grant interviews, answer emailed questions, or take phone calls from Fox News about the murder investigation, or about the FBI's findings or initial involvement in the case.

A source close to the investigation said the DC mayor is closely monitoring this case and officers are restricted in terms of what they can say or not say to the family and the

media.

"It appears that the investigators are walking on eggshells with regard to the case," the source said.

The FBI's national office has refused to respond to several inquiries about any initial assistance the agency's cyber experts provided in the investigation.

"My investigation shows someone within the DC government, Democratic National Committee or Clinton team is blocking the murder investigation from going forward," Wheeler said. "That is unfortunately. Seth Rich's murder is unsolved as a result of that."

Despite obvious knowledge of Rich's involvement with Wikileaks, DC police have stuck to their initial theory that Rich's murder was the result of a botched robbery.

The botched robbery theory, which police have pursued for nearly a year, isn't panning out, Wheeler said. The dual assailants caught on a grainy video tape from a camera posted outside a grocery mart, shot Rich twice in his back, but did not take his wallet, cell phone, keys, watch or necklace worth about \$2,000.

Police detectives typically look at several possible working theories, but Wheeler said that this case appears to be different.

"Something about the email theory has the police tight-lipped," Wheeler said.

Police could look into whether Rich was killed by someone he knew for personal reasons, possibly out of jealousy, betrayal or anger. They could also investigate

whether he was murdered for political reasons, either out of revenge for him releasing DNC emails to WikiLeaks or to prevent him from sending additional files, Wheeler said.

Police should consider all angles, Wheeler said, especially in light of WikiLeaks' founder Julian Assange alluding on August 9 during an interview with a Dutch television reporter that Rich was the source.

"I am suggesting," Assange told the Dutch reporter, "that our sources take risks, and they, they become concerned to see things occurring like that."

On Twitter, WikiLeaks announced the reward but said Assange's statement "should not be taken to imply that Seth Rich was a source for WikiLeaks or to imply that his murder is connected to our publications" because WikiLeaks has a policy not to release the names of its sources, even after their death.

In subsequent appearances on Fox News Channel, Assange confirmed, "We're interested in anything that might be a threat to alleged WikiLeaks sources."

Assange has not returned a series of recent emails from Fox News about Rich. MacFayden, the director of WikiLeaks who initially made contact with Rich, died October 22.

D.C. police announced a \$25,000 reward, and Republican lobbyist Jack Burkman issued a \$130,000 reward, totaling \$175,000 with WikiLeaks' reward for information about Rich's killer.

Wheeler said all leads in this case need to be followed to solve Rich's murder including where he went the night he died, who he encountered that night, and who he spoke to

on the phone.

Rich had been at Lou's City Bar a couple of miles from his home until about 1:15 am. He walked home, calling several people along the way. He called his father, Joel Rich, who he missed because he had gone to sleep. He talked with a fraternity brother and his girlfriend, Kelsey Mulka.

Around 4:17 a.m., Rich was about a block from his home when Mulka, still on the phone with him, heard voices in the background. Rich reassured her that he was steps away from being at his front door and hung up.

Two minutes later, Rich was shot twice. Police were on the scene within 3 minutes. Rich sustained bruising on his hands and face. He remained conscious, but died at a nearby hospital within 1 hour and 40 minutes.

Police detectives will not say whether Rich provided them with any clues about the identity of his attackers or their motivation, Wheeler said. However, Wheeler believes Rich could have provided information prior to his death of who was responsible for carrying out his murder.

Police also have refused to release security footage from a market on the corner of the crosswalk where Rich was killed. The footage shows two people following Rich across the tiny crosswalk just moments before he was attacked. The camera captured grainy footage of the assailants' legs and Rich as he fell backwards into the street after being shot.

Wheeler said normally police would release the footage to the media. The family also should be privy to the entire case jacket, with all the details of the case, unless they are considered suspects, Wheeler said. However, to date, the family has not received a copy of the tape or most of the details related to their son's murder case. The homicide

case remains open, according to a spokesperson for DC police.

Rich's father, Joel Rich, could not be reached for comment, but said in an interview in January that he didn't believe his son would leak the emails. However, he said above all, his son "wanted to make a difference in the world."

LINK <http://www.foxnews.com/politics/2017/01/10/slain-dnc-staffers-father-doubts-wikileaks-link-as-cops-seek-answers.html>

Malia Zimmerman
Investigative Reporter,
FoxNews.com

2044 Armacost Avenue
Los Angeles, CA 90025

O: 310-571-2042
M: 808-306-3161
E: Malia.Zimmerman@foxnews.com



EXHIBIT A-26

EXHIBIT A-27

EXHIBIT A-28

Exhibit A

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NEW YORK**

TY CLEVENGER,

Plaintiff,

vs.

**U.S. DEPARTMENT OF JUSTICE,
FEDERAL BUREAU OF
INVESTIGATION, and NATIONAL
SECURITY AGENCY,**

Defendants

Case No. 1:18-cv-1568-LB

DECLARATION

My name is Edward Butowsky, I am greater than 18 years of age and competent to testify, and I do testify as follows under penalty of perjury under the laws of the United States, as witnessed by my signature below:

I am a resident of Texas, and the Plaintiff in the case identified above (*i.e.*, Ty Clevenger) is my attorney in several lawsuits that are related in one way or another to Seth Conrad Rich. I have publicly stated that Seth Conrad Rich and his brother, Aaron Rich, were responsible for leaking emails from the Democratic National Committee to WikiLeaks. Aaron Rich has sued me for defamation on the grounds that my statements about him were false. Some commentators have speculated that Seth Rich was subsequently murdered because of his role in leaking the emails, but I do not know whether the murder was connected to the leak.

I have a number of friends who work in or have previously worked in various intelligence positions for the United States government. On or about April 28, 2017, I spoke with a friend who at that time worked in a high-level intelligence position for the executive branch. My friend told me he had personally viewed records that were downloaded from Seth Rich's electronic devices by the FBI's Computer Analysis and Response Team ("CART"). I have not revealed his name because he revealed the foregoing information in confidence.

JAN 5, 2017

On or about January 5, 2017, I spoke with renowned journalist Seymour "Sy" Hersh, and I recorded the conversation. A true and correct recording of that conversation can be found at https://www.youtube.com/watch?v=_VaQcglmZvY. In that recording, Mr. Hersh said that he too had confirmed that the FBI had documents pertaining to Seth Rich.

THE DECLARANT SAYS NOTHING FURTHER.

Date: September 16, 2019


Edward Butowsky

RECORDED AND APPROVED AND FORWARDED ON BEHALF OF THE FEDERAL BUREAU OF INVESTIGATION, U.S. DEPARTMENT OF JUSTICE, BY [REDACTED] ON [REDACTED]

RECORDED AND APPROVED AND FORWARDED ON BEHALF OF THE FEDERAL BUREAU OF INVESTIGATION, U.S. DEPARTMENT OF JUSTICE, BY [REDACTED] ON [REDACTED]

RECORDED AND APPROVED AND FORWARDED ON BEHALF OF THE FEDERAL BUREAU OF INVESTIGATION, U.S. DEPARTMENT OF JUSTICE, BY [REDACTED] ON [REDACTED]

RECORDED AND APPROVED AND FORWARDED ON BEHALF OF THE FEDERAL BUREAU OF INVESTIGATION, U.S. DEPARTMENT OF JUSTICE, BY [REDACTED] ON [REDACTED]

RECORDED AND APPROVED AND FORWARDED ON BEHALF OF THE FEDERAL BUREAU OF INVESTIGATION, U.S. DEPARTMENT OF JUSTICE, BY [REDACTED] ON [REDACTED]

RECORDED AND APPROVED AND FORWARDED ON BEHALF OF THE FEDERAL BUREAU OF INVESTIGATION, U.S. DEPARTMENT OF JUSTICE, BY [REDACTED] ON [REDACTED]

EXHIBIT A-29

EXHIBIT A-30

From: Rod wheeler <rod@rodwheeler.com>
To: ed butowsky <ebutowsky@gmail.com>, Larry Friedman <LFriedman@fflawoffice.com>
Cc: Rod wheeler <rod@rodwheeler.com>
Subject: Response posted on Facebook
Date: May 20, 2017 at 9:49:01 PM EDT

Ed, I just noticed "my response" posted on your Facebook page. Who was this response made to? I am unaware. When you, Malia and I talked on Friday I said I did not want to send a response to anyone until Larry (attorney) advised us further. Help me to understand when you can. Again, I never approved of this "response."

Thanks.
Rod



Ed Butowsky
5 hrs

Rod Wheeler's response - Friday, May 19, 1 pm Pacific

In the contract I have with the family, signed by Joel, Mary and Aaron Rich, I am not allowed to speak to the media on the family's behalf, but I could speak to the media about this investigation of Seth Rich's murder or other stories I was involved in. They knew I was a Fox News contributor and regularly went on television.

I called Joel Rich the night before the Fox News story was going to be published, which was Monday night. During that 18-minute call (phone logs provided), I reviewed the story with Joel Rich, he liked it and was encouraged by the new leads. Joel already knew about the story because Fox had contacted him earlier in the day. He also suggested I contact an investigative reporter, Michelle Sigona, from CrimeWatch Daily with the information. I also spoke with Aaron Rich, Joel's son, for 21 minutes the night before the story came out and told him about the new information that had emerged and the story that would likely be coming out in the near future.

I told them both I would be commenting on the case and asking people to come forward if they had insight on the new information. I never violated the terms of our contract as I never spoke on behalf of the family.

EXHIBIT A-31

EXHIBIT A-32

EXHIBIT A-33

EXHIBIT A-34

EXHIBIT A-35

